IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1952 OF 2005
IN
CRIMINAL APPEAL NO. 108 OF 2005

Mr.Sudarshan @ Babu Motilal Gupta ... Applicant

V/s

The State of Maharashtra ... Respondent

Mr. M.K. Kocharkar a/w Ravindra M. Sawant for applicant
Shri A.M. Shingarpure, APP for the State

Coram : V.M. Kanade, J.
Dated : 30.03.2005

P.C. :-

. I have heard learned counsel appearing for the applicant and APP for the State.

. This is an application for bail. Learned counsel appearing for applicant states that the applicant was convicted by the trial court for the offence punishable under section 307 read with section 34 of Indian Penal Code and was sentended to suffer R.I. for 5 years.The application for bail was rejected on 24/2/2005 on the ground that no circumstance was made for the grant of bail. Learned counsel appearing for the applicant submits that applicant's father is expired last year and obituarial ceremonies are to be performed. In my view for that purpose, application can apply for furlough leave. According to rules, the sentence is not more than 5 years. The applicant is entitled to ask for furlough leave after one year sentence. If the applicant makes an application

for furlough leave, the Government to consider the same expeditiously and take cognizance of the same within a period of 3 weeks. Application for bail is, therefore, rejected. However, liberty is granted to the applicant to prepare private paper book and apply for fixed date of hearing after paper book is prepared. If the appeal is not heard within a reasonable period, the applicant may again apply for bail after six months.

(V.M. Kanade, J.)